CLASSIFICATION OFFICE DECISION

Title of publication: 333.mpeg

Other known title(s): Not stated

OFLC ref: 1100018.001

Medium: Computer Moving Image File

Director: Not stated

Producer: Not stated

Country of origin: Not stated

Language: German

Applicant: The District Court at Christchurch

Classification: Objectionable.

Excisions: No excisions recommended

Descriptive note: None

Display conditions: None

Date of entry in Register: 08 February 2011

Date of direction to issue a label: No direction to issue a label has been issued

	Components	Running time
Timed component(s):	333.mpeg	26:25
Total running time:		26:25

Summary of reasons for decision:

The computer moving image file is deemed objectionable because it tends to promote and support the use of violence to compel any person to participate in, or submit to, sexual conduct.

The file consists of a commercially produced scene showing three men and a woman engaged in sado-masochistic sexual practices. The scene begins with the men attacking and abducting the apparently unsuspecting woman, who becomes an active participant when sexual activity begins.

However, there is no indication of consent to, or prior arrangement of, this realistically aggressive role-play. The material encourages men to override women's objections in the pursuit of their own sexual gratification.

The classification of this publication interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention and is a reasonable limitation on the freedom of expression. The classification reflects the concern of a free and democratic society to prevent sexual violence.